

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Robert J. Jonker

v.

Case No. 1:16-cr-0216

STEVEN CRAIG WHYTE,

Defendant.

/

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a four-count Indictment, which includes conspiracy to distribute heroin, in violation of 21 U.S.C. § 846; possession with intent to distribute heroin, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C); being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1); and possession of a firearm in furtherance of drug trafficking, in violation 18 U.S.C. § 924 (c)(1). Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the bases that he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a risk of flight, 18 U.S.C. § 3142(f)(2)(A). The court conducted a hearing today at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention regarding risk of flight, but has not rebutted the presumption of detention as to danger to the community. The Court also finds, as explained on the record, that there is no condition or combination of conditions of release will ensure the safety of the community or the appearance of defendant. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending further order of this Court.

DONE AND ORDERED this 2nd day of November, 2016.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge